

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

KENDREAL GRAHAM,

Movant,

v.

UNITED STATES OF AMERICA,

Respondent.

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No. 4:18-CV-1580-HEA

OPINION, MEMORANDUM AND ORDER

Movant moves for appointment of counsel. After considering the motion and the pleadings, the motion is denied without prejudice to refileing at a later time.

There is no constitutional or statutory right to appointed counsel in civil cases. *Nelson v. Redfield Lithograph Printing*, 728 F.2d 1003, 1004 (8th Cir. 1984). In determining whether to appoint counsel, the Court considers several factors, including (1) whether the movant has presented non-frivolous allegations supporting his or her prayer for relief; (2) whether the movant will substantially benefit from the appointment of counsel; (3) whether there is a need to further investigate and present the facts related to the movant's allegations; and (4) whether the factual and legal issues presented by the action are complex. *See Johnson v. Williams*, 788 F.2d 1319, 1322-23 (8th Cir. 1986); *Nelson*, 728 F.2d at 1005.

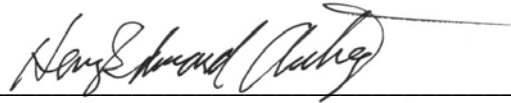
Movant has demonstrated, at this point, that Movant can adequately present claims to the Court. Additionally, neither the factual nor the legal issues in this case are complex.

Accordingly,

IT IS HEREBY ORDERED that movant's motion for appointment of counsel is

DENIED without prejudice. [ECF No. 17]

Dated this 19 August 2019.

A handwritten signature in black ink, appearing to read "Henry Edward Autrey", written over a horizontal line.

HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE